

1 SENATE JOINT RESOLUTION NO. 35  
2 AMENDMENT IN THE NATURE OF A SUBSTITUTE  
3 (Proposed by the Senate Committee on Rules  
4 on January 28, 2022)  
5 (Patron Prior to Substitute--Senator Lewis)

6 Continuing the Joint Subcommittee on Coastal Flooding as the Joint Subcommittee on Recurrent  
7 Flooding. Report.

8 WHEREAS, House Joint Resolution 50 and Senate Joint Resolution 76 (2012) directed the  
9 Virginia Institute of Marine Science (VIMS) to study strategies for adaptation to prevent recurrent  
10 flooding in Virginia's Tidewater and Eastern Shore localities; and

11 WHEREAS, the resulting VIMS report, titled "Recurrent Flooding Study for Tidewater Virginia,"  
12 published as Senate Document 3 (2013), stated that recurrent flooding impacts all localities in Virginia's  
13 coastal zone and is predicted to become worse over reasonable planning horizons (20 to 50 years); and

14 WHEREAS, VIMS offered several recommendations, including that the Commonwealth, working  
15 with its coastal localities, (i) begin comprehensive and coordinated planning efforts; (ii) initiate  
16 identification, collection, and analysis of data needed to support effective planning for response efforts;  
17 and (iii) take a lead role in addressing recurrent flooding in Virginia for the following reasons: (a)  
18 accessing relevant federal resources for planning and mitigation may be enhanced through state mediation,  
19 (b) flooding problems are linked to water bodies and therefore often transcend locality boundaries, and  
20 (c) prioritizing flood management actions must be based in part on risk, and therefore the Commonwealth  
21 must oversee the necessary studies to determine adaptation strategies, as well as implementation of the  
22 agreed-upon strategies; and

23 WHEREAS, the Joint Legislative Audit and Review Commission (JLARC) study mandated by  
24 House Joint Resolution 132 (2012) and presented on October 15, 2013, titled "Review of Disaster  
25 Preparedness Planning in Virginia," stated: "The state generally has strong disaster response plans, but

26 deficiencies in evacuation and shelter plans may compromise the safety of the Hampton Roads population  
27 during a catastrophic disaster"; and

28 WHEREAS, the JLARC study further noted that if four key assumptions in the state's current  
29 evacuation plan do not hold, "timely hurricane evacuations could be compromised," placing citizens at  
30 risk after the storm; and

31 WHEREAS, House Joint Resolution 16 and Senate Joint Resolution 3 (2014) established the Joint  
32 Subcommittee to Formulate Recommendations to Address Recurrent Flooding as recommended by the  
33 VIMS report; and

34 WHEREAS, the Joint Subcommittee to Address Recurrent Flooding met four times during the  
35 2014 interim to collect information from federal and state agencies, localities, and stakeholders and to  
36 carry out its work; and

37 WHEREAS, the Joint Subcommittee to Address Recurrent Flooding filed an executive summary  
38 with the General Assembly prior to the 2015 Session, which included five initial recommendations to  
39 increase public awareness, improve local and state government agency resiliency coordination, and  
40 address floodplain management; and

41 WHEREAS, recommendations made by the Joint Subcommittee to Address Recurrent Flooding  
42 during the 2014 interim resulted in six bills passing the General Assembly with bipartisan support during  
43 the 2015 Session; and

44 WHEREAS, the Joint Subcommittee to Address Recurrent Flooding met four times during the  
45 2015 interim to collect information from federal and state agencies, localities, and stakeholders and to  
46 carry out its work; and

47 WHEREAS, the members of the full Joint Subcommittee to Address Recurrent Flooding concurred  
48 that the joint subcommittee be continued for two more years with a name change to the Joint  
49 Subcommittee on Coastal Flooding to more accurately reflect its mission and to continue the  
50 Commonwealth on the path of advancing Virginia as the coastal states' leader in advancing resiliency  
51 strategies and, most importantly, protecting its citizens and business assets; and

52 WHEREAS, pursuant to House Joint Resolution 84 and Senate Joint Resolution 58 (2016), the  
53 Joint Subcommittee on Coastal Flooding continued its work during the 2016 and 2017 interims and  
54 brought forth additional recommendations for the 2018 Session; and

55 WHEREAS, pursuant to House Joint Resolution 26 and Senate Joint Resolution 19 (2018), the  
56 Joint Subcommittee on Coastal Flooding continued its work during the 2018 and 2019 interims and  
57 brought forth additional recommendations for the 2020 Session; and

58 WHEREAS, pursuant to House Joint Resolution 102 and Senate Joint Resolution 27 (2020), the  
59 Joint Subcommittee on Coastal Flooding continued its work during the 2020 and 2021 interims and will  
60 bring forth additional recommendations for the 2022 Session; and

61 WHEREAS, riverine flooding and flooding from stormwater are also major concerns for the  
62 Commonwealth and deserve further study and action from the joint subcommittee; and

63 WHEREAS, the members of the joint subcommittee concur that the work of the joint  
64 subcommittee be continued for two additional years; now, therefore, be it

65 RESOLVED by the Senate, the House of Delegates concurring, That the Joint Subcommittee on  
66 Coastal Flooding be continued as the Joint Subcommittee on Recurrent Flooding. The joint subcommittee  
67 shall have a total membership of 15 members that shall consist of three members of the Senate appointed  
68 by the Senate Committee on Rules; five members of the House of Delegates appointed by the Speaker of  
69 the House of Delegates in accordance with the principles of proportional representation contained in the  
70 Rules of the House of Delegates; two nonlegislative citizen members appointed by the Senate Committee  
71 on Rules, one of whom shall be a representative of the development community and one of whom shall  
72 be a certified floodplain manager; two nonlegislative citizen members appointed by the Speaker of the  
73 House of Delegates, one of whom shall be a business leader and one of whom shall be a representative of  
74 the environmental community; and three local elected officials from three separate regions of the  
75 Commonwealth representing Virginia's flood-prone communities, one of whom shall be appointed by the  
76 Senate Committee on Rules who shall be from an area impacted by coastal flooding and two of whom  
77 shall be appointed by the Speaker of the House of Delegates, one of whom shall be from a rural area  
78 impacted by riverine flooding and one of whom shall be from an urban area impacted by stormwater

79 flooding. Nonlegislative citizen members of the joint subcommittee shall be citizens of the  
80 Commonwealth of Virginia. The current members appointed by the Senate Committee on Rules shall  
81 continue to serve until replaced. The current members appointed by the Speaker of the House of Delegates  
82 shall be subject to reappointment. Vacancies shall be filled by the original appointing authority. Unless  
83 otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk,  
84 nonlegislative citizen members shall only be reimbursed for travel originating and ending within the  
85 Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the  
86 other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee  
87 shall elect a chairman and vice-chairman from among its membership, who shall be members of the  
88 General Assembly.

89 In conducting its study, the joint subcommittee shall recommend short-term and long-term  
90 strategies for minimizing the impact of flooding.

91 Administrative staff support shall continue to be provided by the Office of the Clerk of the Senate.  
92 Legal, research, policy analysis, and other services as requested by the joint subcommittee shall continue  
93 to be provided by the Division of Legislative Services. Technical assistance shall continue to be provided  
94 by faculty at Virginia institutions of higher education who have expertise in the subject matter. All  
95 agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon  
96 request.

97 The joint subcommittee shall be limited to a total of four meetings for the 2022 interim and four  
98 meetings for the 2023 interim and the direct costs of this study shall not exceed \$19,840 for each year  
99 without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall  
100 require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a  
101 companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be  
102 required.

103 No recommendation of the joint subcommittee shall be adopted if a majority of the Senate  
104 members or a majority of the House members appointed to the joint subcommittee (i) vote against the

